

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:12-CV-00314-RJC-DSC**

GREGORY JEROME MILLER,)
Plaintiff,)
v.)
CAROLINAS HEALTHCARE SYSTEM,)
Defendant.)

MEMORANDUM AND ORDER

THIS MATTER is before the Court on the “Defendant’s Motion to Compel Rule 26(a)(1) Initial Disclosures, and Responses to First Set of Interrogatories and Requests for Production” (document # 27) filed July 16, 2014. This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B), and is now ripe for the Court’s consideration.

For the reasons stated in its Motion and supporting brief, the Court orders the pro se Plaintiff to serve his Rule 26(a) Initial Disclosures and respond to Defendant's First Set of Interrogatories and Requests for Production.

Dismissal and the imposition of monetary sanctions are remedies available under Rule 37 for a party's failure to obey rules governing discovery and orders of the District Court. See Fed. R. Civ. P. 37(b)(2)(C); National Hockey League v. Metro. Hockey Club, 427 U.S. 639, 643 (1976); Mutual Fed. Sav. & Loan v. Richards & Assocs., 872 F.2d 88, 92 (4th Cir. 1989); Wilson v. Volkswagen of America, Inc., 561 F.2d 494, 504-04 (4th Cir. 1977).

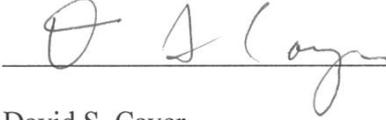
Accordingly, the Court warns Plaintiff that failure to provide full and complete Initial Disclosures and responses to Defendant's First Set of Interrogatories and Requests for Production or failure to respond to any other of Defendant's reasonable discovery requests, or to otherwise comply fully with any of the Court's Orders, the Local Rules, or the Rules of Civil Procedure may result in the imposition of sanctions. **Sanctions may include Plaintiff being ordered to pay Defendant's costs, including reasonable attorney's fees in their entirety, and may also include dismissal of the Complaint with prejudice.**

NOW THEREFORE, IT IS ORDERED:

1. "Defendant's Motion to Compel Rule 26(a)(1) Initial Disclosures, and Responses to First Set of Interrogatories and Requests for Production" (document #27) is GRANTED IN PART and DENIED IN PART. Within fourteen (14) days of the date of this Memorandum and Order, Plaintiff shall provide full and complete Initial Disclosures and responses to Defendant's First Set of Interrogatories and Requests for Production.
2. The parties shall bear their own costs at this time.
3. The Clerk is directed to send copies of this Memorandum and Order to pro se Plaintiff; to defense counsel; and to the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: August 8, 2014



David S. Cayer
United States Magistrate Judge
